STATEMENT BY SRI J. MOHAMED IMAM REGARDING CUT MOTIONS AND DISCUSSION THEREON.

Sri J. MOHAMED IMAM (Jagalur).—Can you permit me to make a statement Sir, regarding the attitude we adopted yesterday?

Mr. SPEAKER.—Yes.

Sri J. MOHAMED IMAM.—Sir, I thank you for the permission you have given me to make a statement.

Sri K. HANUMANTHAIYA (Chief Minister).—Thank us also that we did not object.

Sri J. MOHAMED IMAM.—You have no power to object us, nor to restrain us from taking a certain course of action.

Sir, yesterday we abstained from participating in the discussion relating to the moving of Grants and also the cut motions, and it is my duty to explain to the House why we adopted the attitude and why we refrained from taking part in the debate.

Sir, we are still in the beginning of democracy and we have to build up many traditions and conventions, and it is to bring home to the Leader of the House that it is time for us to establish certain conventions and traditions. Sir, a good deal of parliamentary practice depends not on law, nor on rules, but on the healthy conventions we establish. Our object in abstaining yesterday was not to embarrassing either the Leader of the House or the Speaker. It was with the sole object of bringing home to this House that we must establish certain conventions to be in conformity with the spirit of democracy. Every day we have been receiving a big list of cut motions from our energetic Secretary and we are expected to deal with those cut motions. On a perusal of these lists, it is found that the entire list is predominated by the cut motions tabled by the Members of the Treasury Bench and by the supporters of the Government while the cut motions tabled by the Members of the Opposition and the private Members are very few. The arrangement of cut motions shows that the cut motions tabled by the Members of the Treasury Bench always get the priority. Perhaps they are arranged in the order of their receipt, but somehow the cut motions tabled by the Treasury Bench are always found on the top of the Bill. In this connection I must offer a prize to the Hon'ble Member from Nerale, Sri M. Madiah, who every time gets the first place and takes away most of the time of this House.

Mr. SPEAKER.—Anyhow, it is not the case to-day.

Sri M. MADIAH (Nanjangud—Scheduled Castes).—Yesterday, I had no cut motions, Sir.

Sri J. MOHAMED IMAM.—Unfortunately for us, the cut motions tabled by the Opposition which concern important policies and which concern important administrative matters were included last in the list and our experience has been that the cut motions tabled by the Opposition could not be taken up as guillotine had to be applied.

Sir, in this connection, I would like to discuss or to submit to the House, what is the object of bringing or tabling cut motions, whose privilege it is and what is the procedure we should adopt. In all these respects, Sir, we are guided by the Parliamentary practice adopted elsewhere, specially in the British Constitution. During this Session, we are dealing with the most important work and that is financial business. We are entrusting to the Cabinet and vesting in them the entire resources of the State to carry on the administration of the State and to implement their policies.

When we have to discharge such an important task, it is but right that all the problems and policies of Government are thrashed out and this is the privilege of the Opposition and the

(SRI J. MOHAMED IMAM.)

Opposition alone can do it and not the Treasury Benches. Government do place Demands before us and we send out cut motions. The entire time of the financial business is controlled by the Opposition according to the British Parliamentary practice. The moving of the cut motion to the demand is done in order to afford an opportunity to the Opposition to criticise the administration or its policy. It is with this object that the cut motions are moved and it is also the Parliamentary practice which I am going to prove just now that not only the entire financial business is controlled by the Opposition but it is left to the Opposition to select the demands of their choice and vote. I will just quote some instances from the May's Parliamentary practice : It mainly concerns with financial business.

"... there is a more important group, occupying a far larger proportion of time, which, though nominally government business, exists primarily for the purpose of providing opportunities for the criticism of government policy, and in respect of which by practice or convention the initiative in the choise of subjects for criticism is left to the Opposition or to private Members. Most of these items are founded upon formal motions which provide wide scope for the choice of the subject of debate."

* * * *

"... The result of this innovation was that it freed the Government of the need to give priority to any particular estimate, and made them indifferent as to the vote to be discussed on any allotted day, as they were certain of securing the passage of all votes, with or without discussion, at the end of the twenty allotted days. In return for this certainty ..."

"... an arrangement was made whereby the Opposition were given the right to select the votes to be put down for discussion on each allotted day, and whereby they also secured that the allotted days should fall at more or less regular intervals during the period between the beginning of the financial year and 5th August."

* * * *

'... In fact, it may be said that under this system the Opposition have the same right to debate subjects of their own choice, provided they refer to administrative matters, as they would have if they enjoyed the right to put down motions of their own framing for discussion."

This is the practice and method adopted in the British Parliament and we are closely following the methods, conventions and traditions adopted by the British Parliament. You can see the privileges enjoyed by the Opposition in Britain. In fact the entire financial business, the entire time is controlled by them. The choice of the demands is controlled by them and the voting is controlled by them. This is because finance forms an important subject matter and when we entrust the Government with crores of rupees we cannot do it lightly ; it must be done only after their policy and after their administration discussed and considered fully. It is mainly the privilege and function of the Opposition. But the practice here is that the members of the party in power have been tabling the cut motions. It is apparently for seeking some information from the Government or which are in the nature of representations. This practice, according to the convention, is highly undemocratic and unparliamentary when compared to the systems existing in other parliamentary institutions. It is true

that every member of this House has power to send cut motions ; but there are conventions. Just as a member of the Treasury Bench has power to send cut motions, similarly a member of the cabinet also has power to send cut motions. For example, nothing prevents Sri H. Siddaveerappa from tabling a cut motion asking for a well to his village.

Sri K. HANUMANTHAIYA (Chief Minister).—Commonsense prevents from doing so.

Sri J. MOHAMED IMAM.—Why does not the same commonsense be exercised by your followers and supporters ? By convention and tradition they are precluded from tabling cut motions on demands. What is the object of sending cut motions ?

Sri K. HANUMANTHAIYA.—We have understood the point of view of the Hon'ble Member. There is no necessity for him to make a long speech.

Mr. SPEAKER.—He will take half a minute more.

Sri J. MOHAMED IMAM.—I think that so far as this matter is concerned, I must be given some time. This is a very important point which affects the prestige, power and privilege of the Opposition.

Mr. SPEAKER.—Now the Leader of the House has given some stimulus.

Sri J. MOHAMED IMAM.—I do not know why the Leader of the House should be so impatient.

Sri K. HANUMANTHAIYA.—The House is impatient.

Sri J. MOHAMED IMAM.—I am going to show certain practices adopted . . .

Sri K. HANUMANTHAIYA.—What I say is that this is not an occasion to deliver a long speech on first principles. Everybody knows what the principle is. A concise statement is what is needed.

Mr. SPEAKER.—He is making a statement which is of a lengthy nature. (Laughter.)

Sri J. MOHAMED IMAM.—I have sought your permission and you have been pleased to permit, and I do not know why the Chief Minister should find it so embarrassing. This is the practice prevailing elsewhere.

In Delhi—if it is wrong I may be corrected—the practice of moving cut motions by the members of the Treasury Bench is stopped. I was told by a well-known man yesterday that even in Madras, members of the Treasury Bench do not move cut motions, though I have no personal knowledge. Similarly, here, why should you bring cut motions and move them vehemently with the inevitable result that you have to withdraw them ? It looks so comical, so amusing and so anomalous.

I want to quote another passage from the British Parliament. This is an information which you perhaps might not be aware of and on which I want to enlighten you for your guidance.

Sri H. SIDDAVEERAPPA.—There is a later edition.

Sri J. MOHAMED IMAM.—This is an edition given by the Secretary. If there is any other edition I have no objection to see it.

> "*Address in reply to the King's speech.*—The address is one of the formal motions referred to above which is so comprehensive in its contents, that it is not unfair to regard the power to move amendments to it as the power to initiate separate subjects of debate. On these grounds two at least of the six days normally given to the address may be reckoned as opposition time.
>
> *Estimates.*—For the reasons stated on p. 293 nearly all the allotted days are really opposition time. On the days given to motions for going into supply on the four main branches of the estimates (see p. 704), the subjects of debate are not selected by the Opposition, but depend partly upon the speech of the

(SRI J. MOHAMED IMAM.)

Minister who presents the estimates and partly upon the motion which has secured precedence in the ballot (*see* p. 358). Consequently, these days cannot be reckoned as opposition time.

Consolidated Fund Bills.—The Opposition choose the main subjects of debate on the three or four days normally devoted to these Bills.

Finance Bill.— . . . It would not be an over-estimate to say that a quarter of the days spent on the Finance Bill are really controlled by the Opposition."

What I want to submit is that the moving of the cut motions by the party in power is certainly an encroachment on the rights and privileges of the Opposition. Also, I might say that it is a device to defeat the purpose of the Opposition and prevent them from carrying on their legitimate duty, *i.e.*, of criticising. It happens like this. The nature of the Opposition in Mysore is that it is really in a very disadvantageous position. Apart from this—I am not criticising the ruling of the Chair—the rulings of the Chair regarding the adjournment motion and also the ruling of the Chair on another motion—I am not questioning—also disable and keep the Opposition in a very disadvantageous position. For example, with reference to adjournment motion, you have been pleased to rule that when a parliamentary practice . . . .

Mr. SPEAKER.—May I bring to the notice of the Leader of the Opposition Party, Rule 146 (2) (g)?

"A member while speaking must not discuss any ruling or direction of the Speaker or any order by the Speaker disallowing a question, resolution or motion."

Sri K. HANUMANTHAIYA.—You are in effect doing it.

Sri J. MOHAMED IMAM.—I am not discussing the Speaker's ruling. I must say the attitude adopted by the Treasury Benches in tabling a large number of cut motions and getting priority over all those of the Opposition—that defeats the very purpose of democracy. And there is no need for you to bring a cut motion and withdraw it afterwards, and I say it looks so comical and absurd. I submit that many of the cut motions do not concern the policy, but concern with the local wants. In the good old Assembly, there was provision to send representations of all local wants and grievances, when they were brought to the notice of the Government, but now the moving of cut motions should not be used to ventilate their local grievances. Cut motions and voting on Demands always serve a higher purpose and stand on a higher level. You are the members of the Government party, you are in intimate contact with members of the Government, you can influence their policy and you can dictate to them. Such being the case, where is the need for you to move cut motions, unless it be to frustrate us? We feel we are in the position of martyrs. (Laughter). Our privileges have been curtailed. We cannot exercise our rights. The entire financial business must be kept at the disposal of the Opposition party. If the Government do not help us, if they do not co-operate with us and if they still keep us handicapped, they will be failing in their duty, they will be acting against the spirit of democracy and they will be acting against the spirit of the Constitution. I leave it to the Leader of the House. It is not to embarrass him. Both the Leader of the House and the Leader of the Opposition must join to establish healthy conventions and healthy traditions for the sake of the future. To-day you are in power and to-morrow I may be in power or a third man may be in power. Nobody's position is permanent. Fortunes are always subject to vicissitudes. Let

us think of the prestige of our country and of our State and establish healthy conventions for the use of posterity.

Sri K. HANUMANTHAIYA.—(Leader of the House).—Sir, the Leader of the Opposition has made very many over-statements. He has used words like 'undemocratic', 'unparliamentary' and 'all the rights being vested with the Opposition to control', as he says, 'the financial business', and also he has charged the Government party with the motive of frustrating democratic methods. These are all over-statements. It is but natural that he should make over-statements because he is over tall. The House conducts its business under three sets of circumstances. There is the Constitution. There are the Rules and Standing Orders that we have framed for the purpose. There are the practices and the conventions. My friend confuses one with the other. I very much wish he had the clarity in thinking and expresion. Whatever is guaranteed by the Constitution and the Rules and Standing Orders cannot be taken away by any one. They confer equal rights on all members, whether he belongs to the Treasury Bench, whether he belongs to the Opposition party or whether he is an independent member. The cut motions which have been sent are according to the Rules and Standing Orders. The right that is so conferred by these Rules and Standing Orders nobody can complain about. If members of the Government Party are very vigilant, very efficient and quick-witted, that is not a disqualification and the Opposition cannot complain on that account. On the other hand it is a lesson for them to learn, that they must be equally efficient and vigilant and send their cut motions early. They cannot make a grievance out of their own inefficiency and want of quick-wit. It has become the habit of the Opposition to be complaining on every matter,—never mind even if it is their own mistake and their own fault. Nobody prevents them from sending cut motions in the first instance and getting them included in the list of business. To say that the Government Party uses what right is conferred on them for the purpose of frustrating the Opposition is, as I said, an accusation which cannot hold water.

I would like to bring to the consideration of the members of the Opposition Party that what they are complaining about comes under what is called the practice or the convention. Rules confer rights. The Government Party which is in a majority in any House of Legislature concedes certain opportunities for the Opposition Leader and Members of the Opposition Party so that matters can be discussed threadbare. It is a concession. What is a concession cannot be termed a right.

Sri J. MOHAMED IMAM.—Question. You can never confer concession on us. That is limited to your own party members.

Sri K. HANUMANTHAIYA.—What is conceded by way of concession by majority parties, minority parties should not construe it as a matter of right. To say that the Opposition party is vested with the entire control of the financial business is an absurdity and it is an over-statement.

Sri J. MOHAMED IMAM.—I quoted from May's Parliamentary Practice.

Sri K. HANUMANTHAIYA.—Nowhere is it said. The wording, the phraseology used by the Hon'ble Member is that the entire control of financial business is vested in the Opposition.

Sri J. MOHAMED IMAM.—Yes.

Mr. SPEAKER.—He mentioned it.

Sri K. HANUMANTHAIYA.—On the face of it, such over-statements should not be made as he says in the interests of the growth of good conventions and practices. Every time he harps upon the right of the Opposition and he himself knows what rights

(SRI K. HANUMANTHAIYA.)

he has got. Nobody has come in the way of his right being exercised. If the practice and the convention have to be evolved, they have to be evolved by mutual discussion and agreement. I am always here to arrive at any amicable understanding, so that discussion may be free, unfettered and exhaustive. I do not suppose the Leader of the Opposition has approached me at any time in the matter. If he had discussed the matter with me, I was too willing to come to any arrangement which is consistent with good traditions and practice.

There is another factor. There are independent members in this House. By arriving at a mutual agreement between me and the Leader of the Opposition, it would be wrong for us to curtail the rights they enjoy in the matter of sending cut motions.

Sri J. MOHAMED IMAM.—They can send.

10 A.M.

Sri K. HANUMANTHAIYA.—We cannot prevent them. Nor can we, by the agreement of the two of us, do away with the rights and opportunities that are conferred on the independent members. Therefore, the independent members, the Leader and other important members of the Opposition and the members of the Treasury Benches, all of us have to sit together, calmly discuss what are the conventions and practices prevailing in the other legislatures and then adjust those conventions and practices to the day to day working of our legislature. That is too obvious a fact. Let us have recourse to these wellknown methods of parliamentary and friendly discussions. But if you simply get up and make a grievance of everything that happens, if you stage walk-outs—these are not methods which help what is called the establishment of good conventions and procedure.

Sri L. SIDDAPPA (Channagiri).—You can leave us to ourselves. We do not need any schooling.

Sri J. MOHAMED IMAM.—First of all, heal thyself.

Sri K. HANUMANTHAIYA.—Therefore, I would say, before they deserve any right, before they deserve any concession, they must not only not harp upon their rights .....

HON'BLE MEMBERS.—Why? Why?

Sri K. HANUMANTHAIYA.—They must know what responsibility is cast on them. Therefore, whatever concessions or rights they claim must correlate to their sense of responsibility and restraint that is imposed on all members.

I am sorry to say that the overstatements that they are repeatedly making, accusing us in extreme language in season and out of season, prevent us from really understanding the motive with which they are behaving. As I said, so far as the establishment of conventions and practices are concerned, it is a matter for mutual discussion and understanding. That way is always open to them.

Mr. SPEAKER.—In regard to the statement made by the Leader of the Opposition, I would like to make a few remarks. As he is aware, so far as the Chair is concerned, there can be no distinction between member and member. To whatever party he may belong, every member has the same rights and privileges as any other member. Such being the case and as long as the right to move cut motions is permitted by our rules, the Chair has no option but to admit all cut motions duly tabled and to take them up in the recognised order of precedence, without reference to party affiliations. The Chair cannot disallow a cut motion because it is tabled by a member who belongs to some one party or the other. I may mention here that one of the three objects of moving cut motions that is for a nominal figure is in order to ventilate a specific grievance.

The Leader of the Opposition referred to the practice prevailing in the

House of Commons in England. He knows very well that that practice has developed as a result of agreement between parties and that it is a matter with which the Chair is not directly concerned. I would, therefore, suggest to the Leader of the Opposition that this is a matter which he should take up with the Leader of the House and if an agreed formula were to be evolved, as pointed out by the Leader of the House, the Chair will certainly implement it. I may also mention that in the Parliament of India and in other Legislatures in India, the practice at present is more or less the same as obtains here. But if the members reach agreement and convey the same to me, I shall certainly implement the same. This will indeed be a graceful and healthy convention.

Sri J. MOHAMED IMAM.—Sir, we have pointed out in all good faith what should be the democratic set up. The Leader of the House, in spite of his high sounding words, has suggested a certain method—mutual talk and agreement—and you have also been pleased to suggest the same. In view of all this, it is left to the Leader of the House. Whether he confers concessions or not, is immaterial. We are concerned about establishing healthy conventions. We will watch what action he will take and what will be his attitude...

Sri K. HANUMANTHAIYA.– Sir, he cannot say that he will watch what action we will take. It is a very unhelpful attitude he adopts. It is hardly the way, as he himself said, for establishing good traditions.

DEMANDS FOR GRANT—SCIENTIFIC DEPARTMENTS.

Mr. SPEAKER.—After my remarks, it was not necessary for the Leader of the Opposition to make these observations.

Sri J. MOHAMED IMAM.—We will participate in the discussions.

BUDGET FOR 1953-54
DEMANDS FOR GRANTS
DEMAND No. 17

SCIENTIFIC DEPARTMENTS.

36. *Scientific Departments.*

Mr. SPEAKER.—Motion moved :

"That a sum not exceeding Rs. 6,29,000 be granted to the Government to defray the charges which will come in course of payment during the year ending 31st day of March 1954, in respect of 'Scientific Departments'."

Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—There are three departments coming under this Head. Regarding the Geological Department, a few cut motions have been tabled. I may be permitted to make a short statement regarding the Geological Department. I may be allowed to make it now or after cut motions one and two are moved.

ಈ ಭಾಗದಲ್ಲಿ ಎರಡು ಮೂರು ಬಾಬುಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಖೋತಾ ಸೂಚನೆಗಳಿವೆ. ಇವುಗಳ ಪೈಕಿ ಜಿಯಲಾಜಿಕಲ್ ಇಲಾಖೆಗೆ ಸಂಬಂಧಪಟ್ಟ ಸೂಚನೆ ಒಂದಿದೆ. ಆದರಿಂದ ಈ ಇಲಾಖೆ ಎಷ್ಟು ಮಟ್ಟಿಗೆ ಮುಂದುವರಿದಿದೆಯೆಂಬುದನ್ನು ಹೇಳಬೇಕಾಗಿದೆ. ಇದನ್ನು ಈಗಲಾದರೂ ಹೇಳಬಹುದು, ಆ ಮೇಲೆ ಮೊದಲನೆಯ ಎರಡು ಸೂಚನೆಗಳ ಚರ್ಚೆಯಾದ ಮೇಲೆ ಬೇಕಾದರೂ ಹೇಳಬಹುದು. ಅಧ್ಯಕ್ಷರು ಹೇಗೆ ಹೇಳಿದರೆ ಹಾಗೆ ಮಾಡುತ್ತೇನೆ.

Mr. SPEAKER.—It would be better to make the statement at the very outset.

Sri M. LINGANNA.—Sir, I think, it will be quite convenient if the Hon'ble Minister were to answer at the end, *i.e.*, by way of reply to all the cut motions.

Mr. SPEAKER.—This practice, I have already enunciated the other day. It is left to the Minister to make a statement or not.

Sri A. G. RAMACHANDRA RAO.—I shall be answering the cut motions as well. But to give a comprehensive view of the department's working, it is better that a short